

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RAYMOND K. CROUSE,

Plaintiff,

v.

**Civil Action 2:12-cv-00117
Judge Gregory L. Frost
Magistrate Judge Elizabeth P. Deavers**

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

REPORT AND RECOMMENDATION

Plaintiff filed this action on February 7, 2012 seeking review of an adverse determination of the Commissioner of Social Security pursuant to 42 U.S.C. § 405(g). On February 9, 2012, the Court permitted Plaintiff to proceed *in forma pauperis*, but noted that the record reflected a number of deficiencies in the service materials Plaintiff provided. Accordingly, the Court directed Plaintiff to provide the appropriate service materials and cautioned him that failure to do so in a timely fashion would result in the dismissal of his claims.

As of the date of this Order, Plaintiff has failed to correct the deficiencies in his service materials. Additionally, on June 21, 2012, the Court directed Plaintiff to show cause within fourteen days why this action should not be dismissed for failure to perfect service. Plaintiff has failed to respond to this Order.

Pursuant to the Federal Rules of Civil Procedure, when a plaintiff fails to serve a defendant within 120 days of filing the complaint, and fails to show good cause for lack of service, the Court may dismiss the action without prejudice. Fed. R. Civ. P. 4(m). Accordingly, having failed to effect service or respond to the Court's Orders, it is **RECOMMENDED** that the

Court **DISMISS** Plaintiff's action without prejudice.

IT IS SO ORDERED.

Date: July 25, 2012

/s/ *Elizabeth A. Preston Deavers*

Elizabeth A. Preston Deavers
United States Magistrate Judge